

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

NATIONAL TPS ALLIANCE, DENIS
MOLINA, JHONY SILVA, MARIA ELENA
HERNANDEZ, O.C., SANDHYA LAMA,
S.K., TEOFILO MARTINEZ,

Plaintiffs,

v.

KRISTI NOEM, in her official capacity as
Secretary of Homeland Security, UNITED
STATES DEPARTMENT OF HOMELAND
SECURITY, and UNITED STATES OF
AMERICA,

Defendants.

Case No. 3:25-cv-05687

**[PROPOSED] ORDER GRANTING
MOTION TO POSTPONE EFFECTIVE
DATE OF AGENCY ACTION**

[PROPOSED] ORDER

Plaintiffs' Motion to Postpone Effective Date of Agency Action ("Motion") came on for hearing on July 29 2025, or as soon thereafter as the matter could be heard. After consideration of the briefs and arguments of counsel, the evidence filed in support of and in opposition to Plaintiffs' Motion, and being fully advised, the Court finds that Plaintiffs have carried their burden to demonstrate a need for postponement of the effective date of agency action in this case to preserve the status quo pending resolution of this case on the merits.

Accordingly, IT IS HEREBY ORDERED THAT Plaintiffs' Motion is GRANTED as follows:

1. The Court concludes that Plaintiffs have carried their burden of showing (1) likelihood of success on the merits of their claims under the Administrative Procedure Act ("APA") and the Anti-Discrimination guarantee of the Fifth Amendment to the United States Constitution; (2) that the terminations of TPS designations for Honduras, Nepal, and Nicaragua are causing and will cause irreparable harm to TPS holders, their families (which include U.S. citizens), and the public absent postponement of the effective date of agency actions; and (3) that the balance of equities and the public interest weigh in Plaintiffs' favor. Accordingly, a postponement of agency action pursuant to 5 U.S.C. § 705 of the APA and the inherent equitable powers of this Court is warranted.

2. It is hereby ORDERED THAT the effective date of implementation and/or enforcement of the decisions to terminate TPS for Honduras, Nepal, and Nicaragua are hereby immediately postponed and stayed pending resolution of this case on the merits.

IT IS SO ORDERED.

Date: _____, 2025

The Honorable

UNITED STATES DISTRICT JUDGE